

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-1554-F)

In re Application of:	Varnum et al.)	
)	
Serial No.:	10/656,769)	Before the Examiner: Skelding, Z.
)	
Filed:	September 5, 2003)	Group Art Unit: 1644
)	
For:	Therapeutic Human Anti-IL1-R1)	Confirmation No: 8860
	Monoclonal Antibody)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. For purposes of clarity, Applicants note that reference 1 of the Foreign Patent Documents and references 1-4 of the Non-Patent Literature Documents were included with the Information Disclosure Statement filed by Applicant on January 2, 2008, and have not been considered by the Examiner, to Applicants' knowledge. The January 2, 2008 Information Disclosure Statement was the subject of Applicant's telephonic Examiner Interview of January 14, 2008. Applicants further note that this is the first time that document 1 of the U.S. Patent Documents, documents 2-3 of the Foreign Patent Documents, and documents 5-29 of the Non-Patent Literature Documents have been cited to the Patent & Trademark Office in regards to the above-identified application and are being provided in addition to the references listed in the Information Disclosure Statement filed by Applicant on January 2, 2008.

Applicants' identification of documents is made in an abundance of caution, and is intended to ensure that the Examiner is informed of all art known to applicants during prosecution of the instant application that could fall within the ambit of their duty of candor. It does not constitute an admission that any of the documents listed on the attached Form

PTO/SB/08a is material or constitutes "prior art." In addition, this submission does not represent that a search has been made or that no better art exists. If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In light of the Request for Continued Examination and Information Disclosure Statement filed in this application on March 31, 2008, Applicants believe that no fee is due in connection with the filing of this information disclosure statement, under 37 C.F.R. § 1.97(b)(4). Nevertheless, if a fee is due with the filing of this Statement, Applicants hereby authorize the Commissioner to charge the fee to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Dated: April 1, 2008

By: /Christopher P. Singer/
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